

Please Read: [Why Are Ohio Law Makers Making It Easier For Your Boss To Discriminate And Sexually Harass You? Our Lawyers Need Your Help To Stop Them!](#)

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**From:** Barry Freeman [<mailto:bfreeman@bdblawn.com>]

**Sent:** Sunday, April 2, 2017 11:19 AM

**To:** Chris Wido <[Chris.Wido@spitzlawfirm.com](mailto:Chris.Wido@spitzlawfirm.com)>

**Cc:** Gail Richards <[grichards@bdblawn.com](mailto:grichards@bdblawn.com)>; Sally Kapcar <[skapcar@bdblawn.com](mailto:skapcar@bdblawn.com)>; Brian Spitz <[Brian.Spitz@spitzlawfirm.com](mailto:Brian.Spitz@spitzlawfirm.com)>; Andy Pullekens <[apullekens@bdblawn.com](mailto:apullekens@bdblawn.com)>

**Subject:** RE: CL2-#460438-v2-Responses\_to\_5th\_Set\_of\_RFPs - Discovery Dispute

PS: Communications with 3<sup>rd</sup> parties includes any communications with opt-ins prior to their opt-in date.

**Barry Y. Freeman**  
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**From:** Barry Freeman

**Sent:** Sunday, April 02, 2017 10:55 AM

**To:** 'Chris Wido'

**Cc:** Gail Richards; Sally Kapcar; Brian Spitz; Andy Pullekens

**Subject:** RE: CL2-#460438-v2-Responses\_to\_5th\_Set\_of\_RFPs - Discovery Dispute

Dear Chris:

I'll reach out to get "the email that led to her termination" and other documents pertaining to Dean's discipline and termination.

As you already know, you would have had responses if you had properly labelled and identified your discovery requests, instead of mislabeling them and making them appear to be copies of requests we already had. We are willing to take our share of the responsibility, but it appears you are not

As far as Plaintiffs' production, are you going to produce Wilson's texts with 3d parties or just emails? Are you going to produce portions of your communications with Wilson containing information to be provided to 3d parties (which are not privileged)? Please advise.

Respectfully,

Barry

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**From:** Chris Wido [<mailto:Chris.Wido@spitzlawfirm.com>]  
**Sent:** Tuesday, March 28, 2017 9:40 AM  
**To:** Barry Freeman  
**Cc:** Gail Richards; Sally Kapcar; Brian Spitz  
**Subject:** RE: CL2-#460438-v2-Responses\_to\_5th\_Set\_of\_RFPs - Discovery Dispute

Barry,

Your responses are deficient. Wanice Dean testified that she complained about overtime issues, and she was terminated shortly thereafter. We are entitled to her personnel file (at least the portion that pertains to her discipline and ultimate termination) and the email that led to her termination. We are not required to take your word for it that these documents are not relevant. After all, "Relevancy is broadly construed, and a request for discovery should be considered relevant if there is 'any possibility' that the information sought may be relevant to the claim or defense of any party." *Spartanburg Regional, Healthcare Sys. v. Hillenbrand Industries, Inc.*, N.D.Ohio No. 1:05MC060, 2005 WL 2211163, \*3. These documents are directly relevant to proving that Defendants were aware of overtime issues.

Given that the parties are currently disputing this very issue on summary judgment, and that we were supposed to have these documents before any of this briefing began, I find Defendants' continuing obstruction very troubling. Please produce the Dean documents by no later than Thursday, March 30, 2017.

All the best,

*Chris Wido*

Chris P. Wido

**THE SPITZ LAW FIRM, LLC**

**The Employee's Attorney.™**

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